

## **REMARKS**

Claims 1-10 and 17-56 were pending in the application prior to the present amendment. Claim 46 is herein cancelled. Claims 45 and 47 are herein amended. Thus, Claims 1-10, 17-45 and 47-56 will be pending in the application after entry of the present amendment.

Claims 1-10, 17-44 and 49-56 were allowed.

Claim 45 was rejected under 35 U.S.C. Section 102(e) as being anticipated by Pham (U.S. 2002/0191779). Claim 48 was rejected under 35 U.S.C. Section 103(a) as being obvious over Pham in view of Martinez (USPN 4,823,382). Applicant respectfully disagrees with these rejections, in part because Pham never suggests “averaging a first stream of power spectra of an input signal” as recited in claim 45. However, in order to expedite the case towards allowance, Applicant has amended claim 45 to incorporate the subject matter of claim 46. (Claim 46 was indicated in the most recent Office Action as being allowable.) Thus, amended claim 45 and its dependents are believed to be in condition for allowance.

Applicant intends to file a continuation application including at least the subject matter of claim 45 as it stood prior to the present amendment.

## CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5860-00201/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Jeffrey C. Hood/

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